

RESCISSION OF ANY PRIOR DISCLAIMERS AND REQUEST TO REVISIT ART

Applicant	:	Pagan et al.
App. No	:	09/458,602
Filed	:	December 8, 1999
For	:	SYSTEMS AND METHODS FOR AUTHORIZING, AUTHENTICATING AND ACCOUNTING USERS HAVING TRANSPARENT COMPUTER ACCESS TO A NETWORK USING A GATEWAY DEVICE
Examiner	:	Dada, Beemnet W.
Art Unit	:	2435
Conf #	:	9056

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The claims currently pending in the present application are different and possibly broader in scope than the claims previously pursued in this application. To the extent any prior amendments or characterizations of the scope of any claim or referenced art could be construed as a disclaimer of any subject matter supported by the present disclosure, Applicants hereby rescind and retract such disclaimer. Accordingly, the references previously considered in the present application may need to be re-visited.

It is Applicants' intent to retract any and all disclaimers presented up through the filing of this Rescission. However, for the Examiner's convenience in considering this application, Applicants respectfully present the following specific statements of rescission. The items included on this list are exemplary, and the omission of any prior statement, argument, amendment, or other disclaimer from this list is not intended to indicate that the omitted disclaimer is not rescinded.

In the Amendment and Response of January 29, 2004, Applicants provided a description of the invention; distinguished the claims from U.S. Pat. No. 6,434,619 to Lim et al. ("Lim") on the grounds that Lim "does not teach how to perform AAA access control from gateway device that is located within the access network"; further distinguished the claims from Lim on the grounds that Lim "does not teach AAA access control absent reconfiguration, alteration of the home network settings and/or executing additional configuration software at the user's computer"; and further distinguished the claims from Lim on the grounds that Lim "does not teach AAA access control absent the use of virtual private networks." Applicants now rescind any characterizations of the invention and the prior art, and any arguments presented.

In the Response of September 5, 2004, Applicants provided a description of the invention; identified support for priority to a provisional application; distinguished the claims from U.S. Pat. No. 6,253,327 to Zhang et al. ("Zhang") on the grounds that Zhang "does not teach or suggest a method for authorizing, authenticating and accounting users in which no additional configuration need be installed on the user's computer to access the destination network"; and further distinguished the claims from Zhang and Lim on the grounds that Lim "does not teach AAA access control absent reconfiguration, alteration of the home network settings and/or executing additional configuration software at the user's computer." Applicants now rescind any characterizations of the invention and the prior art, and any arguments presented.

In the Amendment and Response of May 2, 2005, Applicants amended the claims to recite, among other things, "no special authentication software need be installed on the user's computer to access the destination network"; provided a description of the invention; identified support for priority to a provisional application; distinguished the claims from Zhang on the grounds that Zhang "does not teach or suggest a method for authorizing, authenticating and accounting users in which no special authentication software need be installed on the user's computer to access the destination network"; and further distinguished the claims from Zhang and Lim on the grounds that Lim "does not teach AAA access control absent reconfiguration, alteration of the home network settings and/or executing special software at the user's computer."

Applicants now rescind any characterizations of the invention and the prior art, and any arguments presented.

In the Amendment and Response of January 25, 2006, Applicants amended the claims to recite, among other things, “no additional configuration software need be installed on the user’s computer to access the destination network and any other network”; identified support for priority to a provisional application; and distinguished the claims from U.S. Pat. No. 6,047,268 to Bartoli et al. (“Bartoli”) and Zhang on the grounds that “Bartoli does not teach or suggest no additional configuration software need be installed on the user’s computer to access the destination network and any other network” because, among other things, “Bartoli discloses that a browser which supports cookie files must be installed,” “Bartoli only allows access to a previously subscribed and thus, pre-configured network service,” and “Bartoli discloses that with each transaction, the user’s browser program installs a new cookie on the user’s computer.” Applicants now rescind any characterizations of the invention and the prior art, and any arguments presented.

In the Response of July 10, 2006, Applicants distinguished the claims from Bartoli and Zhang on the grounds that “Bartoli does not teach or suggest no additional configuration software need be installed on the user’s computer to access the destination network and any other network” because, among other things, “No where does Bartoli discuss an aim or mechanism by which to grant access to any destination network without additional configuration software” and “Bartoli only grants access to users attempting to access a merchant server that has entered into a billing agreement when the user’s cookie has an expected value.” Applicants now rescind any characterizations of the invention and the prior art, and any arguments presented.

In the Preliminary Amendment of August 10, 2006, Applicants amended the claims to recite, among other things, “wherein the attribute comprises an indication of the location from which the request was received” and “determining if the user is entitled to access the destination network based upon the user profile and the attribute comprising the indication of the location from which the request was received”; canceled claims; distinguished the claims from Bartoli and Zhang on the grounds that Bartoli and Zhang do not teach or suggest “determining if the user is entitled to access

the destination network based upon the user profile and the attribute comprising the indication of the location from which the request was received”; further distinguished the claims from Bartoli and Zhang on the grounds that Bartoli and Zhang do not teach or suggest “no additional configuration software need be installed on the user’s computer to access the destination network and any other network”; further distinguished the claims from Bartoli and Zhang on the grounds that Bartoli is non-analogous art; and further distinguished the claims from Bartoli and Zhang on the grounds that there is no motivation to combine the references. Applicants now rescind any characterizations of the invention and the prior art, and any arguments presented.

In the Response of January 18, 2007, Applicants distinguished the claims from Bartoli, Zhang, and U.S. Pat. No. 5,243,652 to Teare et al. (“Teare”) on the grounds that “Teare fails to teach or suggest identifying an attribute comprising an indication of the location from which the request was received based upon a packet received by the gateway device”; further distinguished the claims from Bartoli, Zhang, and Teare on the grounds that Bartoli and Teare are non-analogous art; and further distinguished the claims from Bartoli, Zhang, and Teare on the grounds that there is no motivation to combine the references. Applicants now rescind any characterizations of the invention and the prior art, and any arguments presented.

In the Preliminary Amendment of June 6, 2007, Applicants amended the claims to recite, among other things, “an indication of the location comprising a port, circuit ID, VLAN ID or MAC address from which the request was received that is determined based on the received packet”; canceled claims; distinguished the claims from Bartoli, Zhang, and Teare on the grounds that Bartoli, Zhang, and Teare fail to teach or suggest “determining if the user is entitled to access the destination network based upon the user profile and the indication of the location comprising a port, circuit ID, VLAN ID or MAC address from which the request was received”; and further distinguished the claims from Bartoli, Zhang, and Teare on the grounds that Bartoli and Teare are non-analogous art. Applicants now rescind any characterizations of the invention and the prior art, and any arguments presented.

In the Amendment of May 6, 2008, Applicants added claims; distinguished the claims from Zhang, Bartoli, and U.S. Pat. No. 6,408,336 to Schneider et al.

("Schneider") on the grounds that "Zhang and Bartoli fail to teach or suggest determining if the user is entitled to access the destination network based upon an indication of the location comprising a port, circuit ID, VLAN ID or MAC address from which the request was received"; and further distinguished the claims from Zhang, Bartoli, and Schneider on the grounds that "Schneider fails to provide any apparent reason for adding also a user profile upon which to base a determination regarding a user's entitlement to access a destination network." Applicants now rescind any characterizations of the invention and the prior art, and any arguments presented.

In the Reply to Final Office Action of November 7, 2008, Applicants distinguished the claims from Zhang, Bartoli, and Schneider on the grounds that "Bartoli teaches away from its combination with Schneider and at least applicants' claimed feature of 'determining if the user is entitled to access the destination network based upon both the user profile and the indication of the location comprising a port, circuit ID, VLAN ID or MAC address from which the request was received.'" Applicants now rescind any characterizations of the invention and the prior art, and any arguments presented.

In the Reply to Office Action of April 22, 2009, Applicants added claims; distinguished the claims from Zhang, Bartoli, and Schneider on the grounds that there is no motivation to combine the references; and further distinguished the claims from Zhang, Bartoli, and Schneider on the grounds that "Bartoli teaches away from Schneider and Applicants' independent claims." Applicants now rescind any characterizations of the invention and the prior art, and any arguments presented.

In the Amendment of November 13, 2009, Applicants amended the claims to recite, among other things, "a portable communication device," "home network settings that are incompatible with the destination network," "identifying at the gateway device an attribute associated with the portable communication device based upon information contained in a packet," "accessing a user profile indicative of one or more aspects of the portable communication device," "data comprised in the combination of the user profile and the indication of the location," and "the user profile indicates that the portable communication device may not access the destination network"; added claims; and distinguished the claims from Zhang, Bartoli, and Schneider. Applicants now

rescind any characterizations of the invention and the prior art, and any arguments presented.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Charles Duan', is written over a horizontal line.

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Dated: July 26, 2011